

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

ALIGN TECHNOLOGY, INC.,

Plaintiff,

v.

CLEARCORRECT OPERATING, LLC,  
CLEARCORRECT HOLDINGS, INC.,  
INSTITUT STRAUMANN AG,  
& STRAUMANN USA, LLC

Defendants.

Case No. 6:24-cv-00187-ADA-DTG

CLEARCORRECT OPERATING, LLC,  
CLEARCORRECT HOLDINGS, INC., &  
STRAUMANN USA, LLC,

Counterclaim-Plaintiffs,

v.

ALIGN TECHNOLOGY, INC.,

Counterclaim-Defendant.

**ORDER ON JUNE 4, 2025 DISCOVERY HEARING**

On June 4, 2025, the Court held a discovery and motions hearing in the above-captioned case regarding the parties' Discovery Dispute Charts submitted on May 2, 2025 and May 15, 2025.

Having considered the parties' briefing and argument, the Court **ORDERS** as follows:

With respect to the Discovery Dispute Chart submitted on May 2, 2025, regarding Align's request that ClearCorrect produce the entirety of the source code for ClearCorrect's Stage, ClearPilot, and DentalWings software it is **ORDERED** that Align shall provide ClearCorrect with a list of the functions it contends are missing from the Stage, ClearPilot, and DentalWings source code that has been made available, and ClearCorrect is **ORDERED** to collect and make the code for such functions available to Align. Align's request for the entirety of the source code for ClearCorrect's Stage, ClearPilot, and DentalWings is **DENIED** without prejudice to reraising the request if the parties reach an impasse over operation of the above-described process. It is further **ORDERED** that ClearCorrect shall produce the Git archive(s) for ClearCorrect's Stage and ClearPilot software.

With respect to the Discovery Dispute Chart submitted on May 15, 2025, regarding ClearCorrect's request that Align produce pre-priority source code for its treatment planning and scanning software: It is **ORDERED** that Align, by June 13, 2025, shall confirm that it conducted a thorough investigation into any of Align's pre-priority treatment planning and scanner software, including any executable versions, source code, or documentation related to such software including whether there is any format where this information would exist and detail the time, expense, and steps it would take to make such information available. It is further **ORDERED** that, by June 13, 2025, Align shall supplement its responses to interrogatories numbers 33-36 to (1) confirm that Align has produced all of its pre-priority treatment planning and scanner software within Align's possession, custody, or control, including any executable versions, source code, or documentation related to such software; (2) explain why what Align has produced and/or made available is all that Align was able to identify or detail what it would take to make additional information available; and (3) substantively

respond to each of these interrogatories.

With respect to the Discovery Dispute Chart submitted on May 2, 2025, regarding ClearCorrect's request that in response to ClearCorrect's Request for Production Nos. 2 and 3, and ClearCorrect's Interrogatory Nos. 1, 6, 7, 8, Align be ordered to produce its agreements with customers relating to Invisalign and iTero: It is **ORDERED** that Align must produce all contracts between Align and any Align customer in the United States regarding to the sale of Invisalign or iTero effective on or after January 1 of 2019, through July 10, 2024 by the deadline for substantial completion set by the Court. The parties are ordered to meet and confer with respect to Align's responses to Interrogatory Nos. 1, 6, 7, and 8.

SIGNED this 17<sup>th</sup> day of June, 2025.

  
DEREK T. GILLILAND  
UNITED STATES MAGISTRATE JUDGE